

## Subchapter 6. Home Leave

### 6-1. LEGAL AUTHORITY

Section 203(f) of the act provides for home leave which is in addition to other forms of leave provided by the act.

### 6-2. DEFINITIONS

a. In this subchapter,

(1) *Home leave* means leave authorized by section 203(f) of the act and earned by service abroad for use in the United States, in the Commonwealth of Puerto Rico, or in the possessions of the United States.

(2) *Month* means a period which runs from a given day in one month through the day preceding the numerically corresponding day in the next month.

(3) *Service abroad* means service on and after September 6, 1960, by an employee at a post of duty outside the United States and outside the employee's place of residence if his place of residence is in the Commonwealth of Puerto Rico or a possession of the United States.

### 6-3. COVERAGE

Employees who may accumulate 45 days of annual leave under section 203(d) of the act are entitled to earn home leave.

### 6-4. SERVICE ABROAD

a. General. (1) If an employee is recruited abroad, his service abroad begins with his entry on duty. When recruited in the United States for work abroad, his service abroad begins on arrival at the oversea post. Such an employee receives full credit for his day of arrival.

(2) Service abroad ends when the employee leaves the post either for separation or for reassignment in the United States, or is separated

from duty while abroad. The employee is entitled to full credit for his day of departure.

b. *Nonpay status*. Absence in a nonpay status up to a maximum of 2 workweeks within each 12 months of service abroad is included as service abroad.

c. *Paid leave and detail*. Any kind of leave with pay or any period of detail during service abroad is included.

d. *Military service*. Time spent in the Armed Forces of the United States which interrupts service abroad is included.

### 6-5. EARNING RATES

a. Home leave is earned in daily, rather than hourly, units. Earning rates vary with the employment conditions of the employees and for each 12 months of service abroad employees earn home leave at the following rates:

(1) An employee who agrees to work anywhere in the world as the needs of the agency dictate—15 days.

(2) An employee serving with a U.S. mission to a public international organization—15 days.

(3) An employee serving at a post for which a 20 percent or higher foreign or territorial (but not a tropical) pay differential is authorized—15 days.

(4) Those not included in (1), (2), or (3) who receive a foreign or territorial (but not tropical) pay differential of at least 10 and less than 20 percent—10 days.

(5) Employees working abroad who are not in categories (1), (2), (3), or (4)—5 days.

### 6-6. COMPUTATION

a. *Computation of home leave*. Home leave is earned and credited on a monthly basis in

accordance with the following table for each of the leave-earning categories in section 6-5:

Months of service abroad	Earning rate (days for each 12 months)		
	15	10	5
	Days earned		
1-----	1	0	0
2-----	2	1	0
3-----	3	2	1
4-----	5	3	1
5-----	6	4	2
6-----	7	5	2
7-----	8	5	2
8-----	10	6	3
9-----	11	7	3
10-----	12	8	4
11-----	13	9	4
12-----	15	10	5

b. Earning rate changes. (1) When an employee moves between different leave-earning rates before completion of a month of service abroad, he is credited with the amount of the leave for the month at the rate to which he was entitled prior to the change in his earning rate.

(2) If the differential status of the job itself changes before a month of service accumulates, then the employee also receives the home leave credit based on the earlier differential.

c. Maximum accumulation. Home leave may accumulate without limit but cannot be used for terminal leave or for a lump-sum payment.

#### 6-7. GRANTING HOME LEAVE

a. Entitlement. For his first grant of home leave, an employee must have 24 months of continuous service abroad unless otherwise authorized by statute.

b. Agency authority. The granting of home leave is at the discretion of the agency. It may

be granted for use only in the United States, its possessions, or Puerto Rico. If agency policy permits, it may be used in combination with other leaves of absence.

c. Limitation. Home leave may be granted to an employee during a period of service abroad, or within a reasonable time after his return from service abroad when it is contemplated that he will return to service abroad immediately or upon completion of an assignment in the United States. Home leave not granted at such time may not be granted until the employee has completed a further substantial period of service abroad; the further period of service abroad required is not less than the tour of duty prescribed for the employee's post of assignment except when an agency determines that an earlier grant of such home leave is warranted in individual cases.

d. Charging. The minimum home leave charge is 1 day and additional charges are in multiples of 1 day.

e. Refund. If after he uses home leave an employee does not return to his post abroad, he is indebted for that amount of leave. Only for the following reasons will his refund be waived:

(1) If his agency determines that his failure to return was due to compelling personal reasons of a humanitarian or compassionate nature such as physical or mental health or circumstances over which the employee has no control, or

(2) If his agency decides that to return him abroad would not be in the public interest, or

(3) If the employee has worked not less than 6 months on assignment in the United States following the period of leave.

#### 6-8. TRANSFER AND RECREDIT

If an employee moves from one Federal agency to another, his home leave account will be transferred to his new agency. If he leaves the Federal service and is reemployed without a break in service in excess of 90 days, his home leave will be recredited to his account.